IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 22823 of 1995

Between:

1. Parmanand sanghi, S/o Late Kesrichand Sanghi,
   R/o Anand Bagh, 7-1-57, Ameetpet, Hyderabad.
2. Rashid Azar, S/o Late Prof Hosain Ali Khan,
   R/o Tamanna 6-3-1239/1,
   Raj Bhavan Road, Somajiguda, Hyderabad.
3. Md Abdul Mughni Tabassum, S/o Md.Abdul
   R/ Somajiguda Hyderabad.
4. Dr.G.Ramloo, S/o Late G.Hanmayya,
   R/o Hyderabad.

... PETITIONERS

AND

1. Government of Andhra Pradesh

Rep. by its Chief Secretary to Govt. Secretariat, Hyderabad.
2. The Commissioner, Prohibition & Excise,

Govt., of A.P. Hyderabad.
3. Prohibition & Excise Superintendent,
   Hyderabad District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or Writ more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in canceling the Health Permits dated 28.1.1995 bearing
Nos. 268, 258, 257 & 124 issued by the Respondent No.3 in form P3, under Rule 4(2) of AP liquor (Issue of permit and Licence) Rules, 1955 as illegal, arbitrary,

without jurisdiction and violative of principles of Natural Justice and Fundamental Rights and further declare clause 13 and 22 in respect of Amendment of Section 15 and Transitional provision inserting Section32-A, incorporated by introducing AP Prohibition (Amendment) Bill, 1995 in AP.Prohibition Act, 1995,as illegal, malafide, arbitrary, discriminatory and violative of Fundamental Rights guaranteed under Article 21 of the Constitution of India, besides Ultra-vires the Provisions of the Andhra Pradesh Prohibition Act, and consequently direct the respondents to restore the Health Permits of the Petitioners, holding the amended provisions as null and void.

Counsel for the Petitioner: MR.C.MALLA REDDY

Counsel for the Respondents: THE ADVOCATE GENERAL

The Court made the following:

ORDER:

It is submitted by the learned counsel for the petitioners that the subject matter of the writ petition has become infructuous.

The submission is placed on record, and the writ petition is dismissed as having become infructuous. No order as to costs.

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N.V. RAMANA, J.

Date: 6th October, 2004.

LSK/KSR

To

1. The Chief Secretary to Government,

Government of Andhra Pradesh,

Secretariat, Hyderabad.

2. The Commissioner ,

Prohibition & Excise,

Government of A.P., Hyderabad.

3. The Superintendent,

Prohibition & Excise,

Hyderabad District.

4. Two C.Cs to the Government Pleader for Prohibition &

Excise, High Court Buildings, Hyderabad. (OUT)

5. Two C.D. copies.